

PATENT RIGHTS: RDX AND OTHER EXPLOSIVES

*Exchange of notes at Washington September 3 and 27, 1946, with text
of agreement and schedules
Entered into force September 27, 1946*

61 Stat. 2949; Treaties and Other
International Acts Series 1628

*The Acting Secretary of State to the Canadian Chargé d'Affaires
ad interim*

SEPTEMBER 3, 1946

SIR:

I refer to recent communications and discussions, with particular reference to two letters, one dated August 3, 1945, from Dr. Vannevar Bush, Director of the Office of Scientific Research and Development, United States of America, to Dr. C. J. Mackenzie, President of The Honorary Advisory Council for Scientific and Industrial Research of Canada, the other, dated August 22, 1945, from Dr. Mackenzie to Dr. Bush, relating to the conclusion of an agreement between our two governments for the mutual interchange of patent rights in connection with RDX and other explosives. I now inform you that the Government of the United States is prepared to give effect to an agreement upon this subject in the following terms:

“WHEREAS, the Government of the United States of America through the Director of the Office of Scientific Research and Development, Office for Emergency Management, Executive Office of the President, and the Government of Canada, through the President of The Honorary Advisory Council for Scientific and Industrial Research of Canada, have undertaken the joint development of Explosive Compounds useful in the Allied War Effort; and

“WHEREAS, the inventions identified in the attached Schedule A were made under the auspices of the Office of Scientific Research and Development and the Government of the United States of America has the right to grant certain licenses thereunder; and

“WHEREAS, the inventions identified in the attached schedule B were made under the auspices of The Honorary Advisory Council for Scientific and

Industrial Research of Canada and the Government of Canada has the right to grant certain licenses thereunder; and

"WHEREAS, the Governments of the respective countries desire to exchange rights thereunder;

"NOW, THEREFORE, each Government grants to the other a non-exclusive, royalty-free license to have the inventions identified in the Schedules A and B attached hereto used or manufactured by or for the Governments of the respective countries, said license to extend throughout the world.

"It is further agreed that the Schedules A and B attached hereto may be supplemented from time to time as further inventions are made and agreed upon by the contracting parties to be a part of the joint development undertaken by the respective Governments."

If an agreement in accordance with the foregoing terms is acceptable to the Government of Canada, the agreement shall be considered by the Government of the United States to have been concluded and to be in effect as of the date of a corresponding note from you indicating that the Government of Canada is prepared to accept the agreement.

Accept, Sir, the renewed assurances of my high consideration.

WILLIAM L. CLAYTON
Acting Secretary of State

Attachments:
Schedules A and B.

Mr. THOMAS A. STONE,
Chargé d'Affaires ad interim of Canada.

SCHEDULE A OF LICENSE INTERCHANGE AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND CANADA

United States Ser. No.	Filing Date	Canadian Ser. No.	Filing Date	Inventors
495, 078	16 July 1943	515, 797	27 June 1944	Bachmann
495, 079	16 July 1943	515, 798	27 June 1944	Bachmann
495, 080	16 July 1943	515, 799	27 June 1944	Bachmann
495, 081	16 July 1943	516, 189	12 July 1944	Johnson, Blomquist & McCrone
495, 083	16 July 1943	515, 897	3 July 1944	Hull
495, 084	16 July 1943	515, 898	3 July 1944	Guenther & Burton
495, 085	16 July 1943	516, 344	15 July 1944	Kistiakowsky, MacDougal & Long
495, 086	16 July 1943	516, 345	15 July 1944	Kistiakowsky, MacDougal, Weltman & Eyster
571, 322	4 Jan. 1945	517, 080	4 Aug. 1944	Bachmann, Jenner & Scott
570, 804	30 Dec. 1944	525, 790	20 April 1945	Blomquist & Fiedorek
570, 807	30 Dec. 1944	525, 793	20 April 1945	Blomquist, Fiedorek & Ryan
570, 805	30 Dec. 1944	525, 791	20 April 1945	Blomquist & Fiedorek
570, 806	30 Dec. 1944	525, 792	20 April 1945	Blomquist & Fiedorek
570, 809	30 Dec. 1944	525, 797	20 April 1945	Turk
570, 810	30 Dec. 1944	525, 795	20 April 1945	Fischer
570, 808	30 Dec. 1944	525, 796	20 April 1945	Kincaid & McGill
570, 811	30 Dec. 1944	525, 794	20 April 1945	Cason

SCHEDULE B OF LICENSE INTERCHANGE AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND CANADA

Canadian Ser. No.	Filing Date	United States Ser. No.	Filing Date	Inventors
492,689	19 May 1942	444,254	23 May 1942	Schiessler & Ross
516,455	19 July 1944	495,082	16 July 1943	Wright, Richmond & Downing
521,950	2 Jan. 1945	570,812	30 Dec. 1944	Wright & Winkler
516,454	19 July 1944	560,704	27 Oct. 1944	Wright & Chute
521,949	2 Jan. 1945	570,813	30 Dec. 1944	Wright & Chute
521,948	2 Jan. 1945	570,814	30 Dec. 1944	Wright & Chute
		560,353	25 Oct. 1944	Wright et al

The Canadian Ambassador to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D.C.

September 27, 1946

No. 345

SIR,

I have the honour to refer to your note of September 3, 1946, proposing an Agreement which the Government of the United States of America is prepared to make with the Government of Canada for the mutual interchange of patent rights in connection with RDX and other explosives.

Under instructions from my Government I have the honour to inform you in reply that the Canadian Government undertakes to give effect to the Agreement set forth in your note and understands that the Agreement will come into force as of the date of this note, namely, September 27th, 1946.

Accept, Sir, the renewed assurance of my highest consideration.

L. B. PEARSON

The Honourable WILLIAM L. CLAYTON,
Acting Secretary of State
for the United States of America,
Washington, D.C.